

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES D. SUGGS,

Defendant.

Case No. 4:20-cr-40067-JPG-1

**MEMORANDUM AND ORDER**

This matter comes before the Court on defendant James D. Suggs's motion for a reduction of his criminal sentence pursuant to 18 U.S.C. § 3582(c)(2) and United States Sentencing Guidelines Manual ("U.S.S.G.") § 1B1.10, making Amendment 821 retroactive (Doc. 38). The Government agrees with the motion (Doc. 39).

The parties agree that the defendant is eligible for a reduction under Part A of Amendment 821, which amended U.S.S.G. § 4A1.1(e) (2023) and concerns criminal history points awarded because a defendant was under a criminal sentence when he committed his offense of conviction ("status points"). Under Amendment 821, the defendant's 2 status points are reduced to 0 status points, and his criminal history category is reduced from III to II. The result is that his guideline sentencing range is lowered. Considering this lowered range, the parties agree that it is appropriate to reduce the defendant's sentence from 71 months to 40 months in prison on each count of conviction, to run concurrently with each other and consecutively to the 25-month revocation sentence in *United States v. Suggs*, 03-cr-40024-JPG-3. The Court agrees for the reasons set forth in the motion.

Accordingly, the Court **GRANTS** the motion (Doc. 38) and reduces the defendant's sentence of imprisonment from 71 months to **40 months** on each count of conviction, to run

concurrently with each other and consecutively to the 25-month revocation sentence in *United States v. Suggs*, 03-cr-40024-JPG-3, **or “time served,” whichever is longer**, effective February 1, 2024. The Court attaches its standard order (AO Form 247) reflecting the sentence reduction.

**IT IS SO ORDERED.**

**DATED: January 22, 2024**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**U.S. DISTRICT JUDGE**